



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/352,335	07/13/1999	HIROMI MORI	103815	2119

25944 7590 11/05/2003

OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

TRAN, DOUGLAS Q

ART UNIT	PAPER NUMBER
----------	--------------

2624

DATE MAILED: 11/05/2003

18

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/352,335

Applicant(s)

MORI, HIROMI

Examiner

Douglas Q. Tran

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 9-11, 13, 17, 19-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Ono et al. (US Patent No. 6,295,136 B1).

As to claim 1, Ono a printing process for a printer, the process comprising the steps of:

displaying a first window (DB1 in fig. 5) on a display, the first window indicating a set data for the printer (i.e., plain paper E2 or Ink setting E3 in fig. 5), to be confirmed or changed by a user (i.e., boxes of OK or Updated or Cancel in fig. 5); and

displaying a second window (DB2 in fig. 6) different from the first window on the display (DB1 fig. 5), the second window indicating at least part of the set data (i.e., plain paper E22 or Ink setting E23 in fig. 6), to be confirmed or changed by the user (i.e., boxes of OK or Cancel in fig. 6), the at least part of the set data being stored in a storage region (i.e., information setting module 57 in fig. 3),

wherein the second window (More setting DB2 in fig. 6) is displayed without displaying the first window (DB1 in fig. 5) when a predetermined setting has been set by the user (the displaying object of the more settings E15 in fig. 5), the at least part of the set data being settable

Art Unit: 2624

on the first and second window (note: the setting of paper, color from the second window that modifies to the first window “col. 11, lines 61-65”).

As to claim 2, Ono teaches the displaying step of the second window (fig. 6) is executed in accordance with a print setting program, an instruction for starting the program being stored in the set data (information setting module 57 in fig. 3).

As to claim 3, Ono teaches of updating the second window displayed on the display when the at least part of the set data is changed by the user (plain paper from the second window in fig. 6 is updated from the first window in fig. 5).

As to claim 9, a printing process for a printer, the process comprising the steps of :

displaying a first window (DB1 in fig. 5) on a display, the first window indicating a set data for the printer (i.e., plain paper E2 or Ink setting E3 in fig. 5), to be confirmed or changed by a user (i.e., boxes of OK or Updated or Cancel in fig. 5); and

displaying a second window (DB2 in fig. 6) different from the first window on the display (DB1 fig. 5) based on a setting set by the user on the first window (i.e., box of More Setting or Advanced in fig. 5), the second window indicating at least part of the set data (i.e., plain paper E22 or Ink setting E23 in fig. 6), to be confirmed or changed by the user (i.e., boxes of OK or Cancel in fig. 6), the at least part of the set data being stored in a storage region (i.e., information setting module 57 in fig. 3 and RAM 32 “col. 14, lines 57-58),

then, outputting to the printer (14 in fig. 3), print data for printing by the printer and control data for controlling the printer, the control data including the at least part of the set data which has been confirmed or changed by the user (note: the print setting from first and second window which are control data for controlling the printer for printing print data).

wherein the second window (More setting DB2 in fig. 6) is displayed without displaying the first window (DB1 in fig. 5) when a predetermined setting has been set by the user (the displaying object of the more settings E15 in fig. 5), the at least part of the set data being settable on the first and second window (note: the setting of paper, color from the second window that modifies to the first window "col. 11, lines 61-65").

As to claim 10, Ono teaches a printing processor (i.e., 16 in fig. 2) for a printer (14 in fig. 2), the processor comprising:

- a memory (i.e., ROM 31 and RAM 32 in fig. 2) containing stored set data (col. 9, lines 56-58 and col. 10, lines 15-17 and 25-28);

- a display (12 in fig. 2) for displaying a first window which indicates the set data for being confirmed or changed by a user, and a second window which is different from the first window and indicates at least part of the set data for being confirmed or changed by the user;

- a setting means (i.e., "advanced" or "more setting" functions E15 in fig. 5) for setting to display the second window (the window of "More Setting" in fig. 6);

- control means (i.e., CPU 30) for controlling the display (38 in fig. 2) so as to display the second window (fig. 6) on the display based on the setting set by the setting means without displaying the first window, the at least part of the set data being settable on the first window and the second window (note: the setting of paper, color from the second window that modifies to the first window "col. 11, lines 61-65").

As to claim 11, Ono teaches the memory (i.e., RAM 32 in fig. 2) includes a plurality of storage regions (col. 9, lines 57-58 and col. 14, lines 57-58 : RAM has a plurality of predetermined positions and has capacity for storing the variety of data).

Art Unit: 2624

As to claim 13, Ono teaches a print data origination means (54 in fig. 3) for originating print data and control data origination means (57 in fig. 3) for originating control data for controlling a printer based on the stored set data, wherein the data origination means and the control data origination means are a printer driver printing module (53 in fig. 3).

As to claim 17, due to the similarity of this claim to that of claim 10 and further including the printing unit (14 in fig. 2), this claim is rejected as the reason applied to claim 10.

As to claim 19, Ono teaches a recording medium in which a printer driver program (53 in fig. 3) is recorded, the program causing a computer to execute the steps from claim 1 as indicated above.

As to claim 20, Ono teaches a printing processor (16 in fig. 2) which is connected to a printer (14 in fig. 2), a memory (32 in fig. 2) and a display (12 in fig. 2) for displaying a first window indicating set data of the printer (fig. 5), which is stored in the memory, the processor comprising:

a printer driver (53 in fig. 3) for driving the printer (14 in fig. 3) and setting the set data (to 52 in fig. 3);

print setting means (57 in fig. 3) for setting at least part of the set data and controlling the display to display a second window (fig. 6) which is different from the first window without displaying the first window and indicates the at least part of the set data;

updating means (i.e., box of OK in fig. 5 and col. 15, lines 47-54) for updating the at least part of the set data stored in the memory through the printer driver (53 in fig. 3) or the print setting means (57 in fig. 3); and

Art Unit: 2624

controlling means (i.e., CPU 30 in fig. 2) for controlling the print setting means such that the display displays on the second window (fig. 6) the at least part of the set data updated by the updating means (i.e., paper E22 and Ink E23 in fig. 6), when the at least part of the set data has been updated through the printer driver,

wherein the first and second windows are confirmable and changeable windows by a printer user (any setting data is set by user in fig. 6), the at least part of the set data being settable in the first window and the second window (note: the setting of paper, color from the second window that modifies to the first window "col. 11, lines 61-65").

As to claim 21, Ono teaches print data originating means for originating on the basis of the set data (col. 10, lines 44-53), control data necessary for controlling the printer (col. 10, lines 54-56); and output means (39 in fig. 2) for outputting at least one of the originated print data and the set data to the printer.

As to claim 22, Ono teaches the print setting means (57 in fig. 3) controls the display (to video driver 52 in fig. 3) to display the second window (fig. 6) before the output means outputs the at least one of the originated print data and the set data to the printer (the setting is completed by hitting the box of OK in fig. 6).

As to claim 23, Ono teaches the controlling means judges whether the part of the set data has been updated with the updating means through the printer driver (col. 15, lines 48-54).

As to claim 24, Ono teaches every feature in claim 1, and further teaches originating at least one of print data necessary for printing by the printer (the print data is processed by 54, 55 and 56 in fig. 3 for necessary printing at the printer) and control data for controlling the printer (57 in fig. 3 for controlling the printer), the control data being originated on the basis of the at

Art Unit: 2624

least part of the set data stored in the storage region; and outputting at least one of the originated print data and the originated control data to the printer (col. 14, lines 55-58 and col. 15, lines 48-54).

As to claims 25 and 26, due to similarities of these claims to that of claim 24, these claims are rejected as the reasons applied to claim 24.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-8, 12, 14-16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono et al. (US Patent No. 6,295,136 B1), in view of claims 1, 10 and 17, in combination of Applicant's admitted prior art.

As to claim 4, Ono teaches every feature discussed in claim 1. However, Ono does not teach a plurality of discharge position specified previously the at least part of the set data includes the discharge position; the specified discharge position is displayed on the second window.

Applicant's admitted prior art further teaches the printer has a plurality of discharge positions and can discharge a printer paper to a discharge position specified previously (page 3, lines 15-16); the at least part of the set data includes the discharge position; the specified discharge position is displayed on the window (see fig. 11 for setting by the user one of specified

Art Unit: 2624

trays page 3, lines 23-25); the specified discharge position is displayed on the second window (a window in fig. 11 is selected by "Mailbox setup" 114 including discharge position such as tray 1 or tray 2);

As to claim 5, Applicant's admitted prior art discloses every feature discussed in claim 4, Applicant's admitted prior art teaches the displaying step of the second window (fig. 11) involves changing the discharge position into another discharge position (the user can select any discharge position in the box of "Output Bin" in fig. 11) and updating the changed discharge position (page 2, lines 12-16).

As to claim 6, Applicant's admitted prior art discloses every feature discussed in claim 4, Applicant's admitted prior art further discloses the displaying step of the second window (fig. 11) involves displaying the plurality of discharge positions of the printer on the display (the box of "Output Bin" displays the discharge positions of the printer).

As to claim 7, Applicant's admitted prior art discloses every feature discussed in claim 4, Applicant's admitted prior art further discloses the displaying step of the second window (fig. 11) further includes confirming whether the discharge position has been updated after the specified discharge position is displayed on the display (page 2, lines 12-25: the second window is displayed with the default set data, such as the set data in the section of "Orientation" or "Paper size", is read from the a print setting storage region 94 "page 2, lines 9-10"; then the operator changes the setting which is written into the same memory 94 "page 2, lines 12-16". Therefore, this updated setting data could be displayed into the second window for updated setting data).

Art Unit: 2624

As to claim 8, Applicant's admitted prior art discloses every feature discussed in claim 4, Applicant's admitted prior art further teaches the storage region includes a plurality of regions (page 2, lines 9-12: It would be understood that the memory for storing a plurality of the set of the set data is distributed to windows. Thus, each set of the set data would be stored in each region of the memory).

As to claim 12, Ono teaches every feature in claim 10, and further teaches control data origination means for originating control data for controlling a printer based on the stored set data, wherein the data origination means and the control data origination means (i.e., printer driver 53 in fig. 3). and Applicant's admitted prior art further teaches the printer includes a plurality of dischargers (See a box of "Output Bin" in fig. 11 including the plurality of trays), , the control data being data for designating at least one of the dischargers (the control data is originated by the user via printer driver in page 2, lines 6-10 and the control data is in corresponding with the set data in window of fig. 11 including at least one of trays in "Output Bin").

As to claim 14, Applicant's admitted prior art teaches every feature in claim 12, Applicant's admitted prior art further teaches updating means for updating the designated discharger on the display (page 2, lines 12-16: the second window is displayed with the set data, such as the set data of Trays in the section of "Output Bin", is read from the a print setting storage region 94 "page 2, lines 9-10"; then the operator changes the setting which is written into the same memory 94 "page 2, lines 12-16". Therefore, this updated setting data could be displayed into the second window for updated setting data).

Art Unit: 2624

As to claim 15, Applicant's admitted prior art teaches every feature in claim 14, Applicant's admitted prior art further teaches the updating means rewrites, when the designated discharger is changed into another discharger, the discharger designation stored in the memory (the second window is displayed with the set data, such as the set data in the section of "Output Bin" including number of Tray positions, is read from the a print setting storage region 94 "page 2, lines 9-10"; then the operator changes the setting which is written into the same memory 94 "page 2, lines 12-16").

As to claim 16, Applicant's admitted prior art teaches every feature in claim 12, Applicant's admitted prior art further teaches the plurality of dischargers are shown on the display (See a box of "Output Bin" in fig. 11 including the plurality of trays).

As to claim 18, Applicant's admitted prior art teaches every feature in claim 17, Applicant's admitted prior art further teaches the printer includes a plurality of dischargers (See a box of "Output Bin" in fig. 11 including the plurality of trays), the control data being data for designating at least one of the dischargers (the control data is originated by the user via printer driver in page 2, lines 6-10 and the control data is in corresponding with the set data in window of fig. 11 including at least one of tray in "Output Bin").

Response to Arguments

5. Applicant's amendment with respect to independent claims 1-26 have been considered but are moot in view of the new ground(s) of rejection. This action is made **final**.

Art Unit: 2624

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

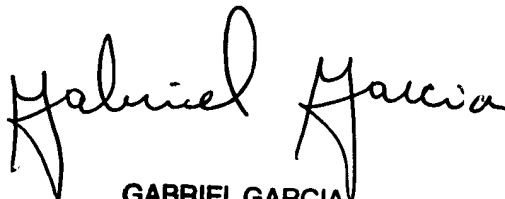
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
Oct. 25, 2003


GABRIEL GARCIA
PRIMARY EXAMINER